

HOUSE EDUCATION COMMITTEE SUBSTITUTE FOR
HOUSE BILL 528

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

AN ACT

RELATING TO HEALTH; CREATING THE SCHOOL MEDICATION AIDES
TRAINING PILOT PROGRAM; CREATING THE SCHOOL MEDICATION AIDES
ADVISORY COMMITTEE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 61-3-1 NMSA 1978 (being Laws 1968,
Chapter 44, Section 1) is amended to read:

"61-3-1. SHORT TITLE. -- [~~Sections 67-2-1 through 67-2-26~~
~~New Mexico Statutes Annotated, 1953 Compilation]~~ Chapter 61,
Article 3 NMSA 1978 may be cited as the "Nursing Practice
Act". "

Section 2. A new section of the Nursing Practice Act is
enacted to read:

"[NEW MATERIAL] SCHOOL MEDICATION AIDES TRAINING PILOT
PROGRAM --

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underscoring material = new
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1 A. The board shall adopt rules to establish a
2 school medication aides training pilot program to educate and
3 certify persons as school medication aides to administer
4 prescription drugs or other medication to public school
5 students during school hours. The purpose of the school
6 medication aides training pilot program is to determine whether
7 certified medication aides can safely and efficiently
8 administer routine medication in a public school setting.
9 Approved training programs shall, through contract or
10 agreement, provide remuneration to the board for administrative
11 and other costs associated with oversight of the school
12 medication aides training pilot program. The board, the
13 department of health and the state department of public
14 education shall collaborate to identify resources for the
15 purpose of establishing the school medication aides training
16 pilot program. The number of trainees and the number of
17 school medication aides shall be based on the resources
18 available; provided, however, that the school medication aides
19 training pilot program shall be established in not more than
20 five regions of the state and shall include a maximum of thirty
21 school medication aide trainees each year.

22 B. For purposes of this section, "school medication
23 aide" means a person who, under the supervision of a licensed
24 registered nurse who is certified as a licensed school nurse by
25 the state department of public education, may administer

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1 prescription medications and other medications to public school
2 students.

3 C. The board shall appoint a school medication
4 aides advisory committee to be chaired by a representative of
5 the board and to include representatives from research nursing
6 programs of New Mexico universities, the state department of
7 public education, the department of health, an educational
8 assistants association, a statewide association of nurses and a
9 statewide association of school nurses. The school medication
10 aides advisory committee shall develop and recommend
11 educational requirements and, in conjunction with the board,
12 the department of health and the state department of public
13 education, develop and recommend the procedures necessary for
14 school medication aides to safely administer prescription drugs
15 or other medications to public school students. The school
16 medication aides advisory committee shall design the school
17 medication aides training pilot program and shall evaluate the
18 results of the training program and make recommendations
19 regarding the training program to the board.

20 D. The board shall collaborate with the department
21 of health and the state department of public education through
22 the school medication aides advisory committee. The board
23 shall develop and determine educational requirements and
24 program requirements by administrative rule and shall determine
25 educational standards and certification requirements to certify

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1 school medication aides to administer prescription drugs or
2 other medications.

3 E. Persons wishing to practice as school medication
4 aides shall make application to the board and obtain training
5 and certification as determined by the board and shall be
6 subject to all other regulations pertaining to medication aides
7 as determined by the board.

8 F. A school medication aide trainee shall not
9 administer prescription drugs or other medications to public
10 school students except under the supervision and direction of a
11 licensed registered nurse who is certified as a licensed school
12 nurse by the state department of public education. "

13 Section 3. TEMPORARY PROVISION.--Public schools
14 participating in the school medication aides training pilot
15 program shall not, during the time period of the pilot program,
16 which shall not extend beyond December 15, 2004, discharge a
17 certified licensed school nurse in order to hire, instead, a
18 school medication aide.

19 Section 4. TEMPORARY PROVISION.--The board shall consider
20 the recommendations of the school medication aides advisory
21 committee and report to the legislature the board's
22 recommendations concerning the continuance of the school
23 medication aides training pilot program no later than December
24 15, 2004.